

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RETIREE BENEFIT TRUST OF THE CITY OF
BALTIMORE, Individually and on Behalf of All
Others Similarly Situated,

Plaintiff,

vs.

MALIBU BOATS, INC., JACK SPRINGER,
BRUCE BECKMAN, DAVID BLACK, and
WAYNE WILSON,

Defendants.

Case No. 1:24-cv-03254-LGS

**DEFENDANTS' NOTICE OF MOTION TO
DISMISS PLAINTIFF'S AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of Sarah M. Lightdale and the exhibits annexed thereto, and all other papers and proceedings herein, Defendants Malibu Boats, Inc., Jack Springer, Bruce Beckman, David Black, and Wayne Wilson, by and through their undersigned counsel, will move this Court, before the Honorable Lorna G. Schofield, at a date and time to be determined by the Court, for entry of an order dismissing with prejudice Plaintiff's Amended Class Action Complaint (ECF No. 43). Defendants move to dismiss for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6) and for failure to meet the pleading requirements of Federal Rule of Civil Procedure 9(b) and the Private Securities Litigation Reform Act of 1995, as amended.

PLEASE TAKE FURTHER NOTICE that, pursuant to this Court's order dated August 15, 2024 (ECF No. 36), Plaintiff has until December 6, 2024 to file its opposition to Defendants' motion to dismiss.

Dated: New York, New York
November 8, 2024

Respectfully submitted,

COOLEY LLP

By: /s/ Sarah M. Lightdale

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